

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jesse James Monville,

Case No. 24-CV-04237 (JMB/JFD)

Petitioner,

v.

ORDER

B. Eischen, *FPC-Duluth Warden*,

Respondent.

This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate John F. Docherty dated May 1, 2025. (Doc. No. 15.) The R&R recommends that the Court deny Petitioner Jesse James Monville's petition for writ of habeas corpus as moot and dismiss the action for lack of subject-matter jurisdiction. Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 15) is ADOPTED.

2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is DENIED as moot.
3. This action is DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 19, 2025

s/Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court